

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
NORFOLK DIVISION

KATHLEEN KITTERMAN, ANNA CRONIN,
CORRIE BALL, MARVIN BALL, MARGARET
BROGAN and EVAN JONES,

Plaintiffs,

CASE NO. 2:12cv146

v.

CLAUDIO TOVAR-GUZMAN,
FORTINO GARCIA and SONS
HARVESTING, INC., and
KUZZENS, INC.,

Defendants.

DEPOSITION OF
FORTINO GARCIA

Taken on Behalf of the Plaintiffs

DATE TAKEN: February 21, 2013
TIME: 3:49 p.m. to 5:18 p.m.
PLACE: Gregory Court Reporting
2605 Airport Road South
Naples, Florida 34112

Examination of the witness taken before:

Terri L. Lewis, Notary and Court Reporter
Gregory Court Reporting Service, Inc.
2650 Airport Road South
Naples, FL 34112

EXHIBIT

tabbles

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1 A No.

2 Q -- other than the fact that you paid him \$200
3 to drive your bus?

4 A Yes.

5 Q Okay. How did you find him?

6 A He was always around at the store where we
7 usually get our fuel. He found out I needed a driver.
8 He came up to me, and he told me that he would help me
9 out, and I said fine.

10 Q So did you hire him July 1st at 8 o'clock
11 before the -- how much before they left did you hire
12 him? How --

13 A I didn't -- well, I didn't hire him. I just
14 paid him to take the bus.

15 Q Okay. Paid him to take the bus. When did you
16 pay him to take the bus; when they were leaving?

17 A When they left.

18 Q Okay. So the bus was all packed with gear; is
19 that right?

20 A Stuff, people -- people's stuff, yes.

21 Q Okay. And it was packed with the stuff of all
22 the various migrant and seasonal workers?

23 A (Witness nods head.)

24 Q And you had arranged this, like, the day
25 before, or did you just go and fill up with gas and find

1 Victor Sanchez hanging around the filling station?

2 A No, I was at the camp. I was going to drive
3 the bus. He come up, and he told me he would help me
4 out. And I said fine, because I had stuff to do, and I
5 didn't want to go and come back, so that's why I said
6 fine.

7 Q Okay. So you've never seen him since?

8 A No.

9 Q He wasn't hanging around the farm this year?

10 A No.

11 Q So when was he supposed to -- when was Victor
12 Sanchez supposed to get the bus to Exmore, Virginia?

13 A Next day, next morning.

14 Q Okay. Why? Was there a reason that they
15 needed to be there that early?

16 A He had to have the people's belongings at the
17 camp.

18 Q Was there a time?

19 A No.

20 Q Were the people working that Saturday?

21 A No.

22 Q If Victor Sanchez hadn't come along, what
23 would you have done?

24 A I was going to drive it myself.

25 Q Okay. And were you going to leave at